

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

WALL WIRELESS, LLC

Plaintiff,

V.

CIVIL ACTION NO. 6:09-cv-00064

**NINTENDO CO., LTD.,
NINTENDO OF AMERICA INC.,
SONY COMPUTER
ENTERTAINMENT AMERICA INC.,
and SONY ONLINE
ENTERTAINMENT LLC,**

Defendants.

**STIPULATED ORDER TO STAY LITIGATION PENDING
REEXAMINATION**

Plaintiff has filed an Unopposed Motion to Stay Litigation Pending Reexamination. Having considered the Motion, the Court hereby **GRANTS** the motion and **ORDERS** that the case is stayed pending the final outcomes, including any appeals, of the pending requests for *inter partes* reexamination of U.S. Patent No. 6,640,086 filed by Defendants on December 1, 2009 and December 3, 2009 with the United States Patent and Trademark Office. The following agreed and stipulated terms shall apply:

1. Following the final outcomes, including any appeals, of the reexamination requests, any party may move the Court to lift the stay;
2. Plaintiff shall not seek prejudgment interest for the time during which the case is stayed;
3. Plaintiff shall not seek enhanced damages under 35 U.S.C. § 284, or any other provision, for any alleged damages that accrue while the case is stayed; and

4. While the case is stayed, no party shall access any confidential documents produced in this case by another party or use such documents for purposes of the reexamination proceedings. The parties shall return all confidential documents produced during this case to the counsel for the party that disclosed or produced the material. Outside counsel of record may keep work product relating to the confidential documents, which shall not be used for purposes of the reexamination proceedings.

So ORDERED and SIGNED this 25th day of January, 2010.



JOHN D. LOVE
UNITED STATES MAGISTRATE JUDGE